

Exhibit D

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

MOTOROLA, INC.,)
Plaintiff,)
v.)
LEMKO CORPORATION, XIAOHONG)
SHENG, SHAOWEI PAN, HANJUAN JIN,)
XIAOHUA WU, XUEFENG BAI,)
NICHOLAS LABUN, BOHDAN PYSKIR,)
HECHUN CAI, JINZHONG ZHANG,)
ANGEL FAVILA, ANKUR SAXENA,)
RAYMOND HOWELL, FAYE VORICK,)
and NICHOLAS DESAI,)
Defendants.)
*
LEMKO CORPORATION, SHAOWEI PAN,)
XIAOHUA WU and XIAOHONG SHENG,)
Counter-Plaintiffs,)
v.)
MOTOROLA, INC.,)
Counter-Defendant.)

Case No. 08 CV 5427

Judge Matthew F. Kennelly

Magistrate Judge Geraldine Soat Brown

**PLAINTIFF MOTOROLA'S FOURTH SET OF REQUESTS (NOS. 47-65)
TO DEFENDANT SHAOWEI PAN
FOR THE PRODUCTION OF DOCUMENTS AND THINGS**

Plaintiff Motorola, Inc. (now known as Motorola Solutions, Inc., hereinafter “Motorola”), by and through its attorneys, pursuant to Federal Rule of Civil Procedure 34, hereby requests that Defendant Shaowei Pan (“Pan”) produce the documents and things requested below, in

accordance with the Definitions and Instructions herein, at the offices of the undersigned attorneys for Motorola, Inc., within thirty (30) days of the date of service.

DEFINITIONS AND INSTRUCTIONS

1. The term "you," "your," and "Pan" shall refer to Defendant Shaowei Pan, including attorneys, agents, consultants, executive recruiters, and all other persons acting or purporting to act on Defendant Pan's behalf.
2. The term "Motorola" shall refer to Plaintiff Motorola, Inc. (now known as Motorola Solutions, Inc.), including any affiliated or related companies or entities, any predecessors, current or former subsidiaries, affiliates or divisions, and their present and former officers, directors, employees, attorneys, agents, consultants and all other persons acting or purporting to act on their behalf.
3. The term "Lemko" shall refer to Defendant Lemko Corporation, including any affiliated or related companies or entities, any predecessors, current or former subsidiaries, or current or former parent companies, affiliated or divisions, and their present and former officers, directors, employees, attorneys, agents, consultants, and all other persons acting or purporting to act on its behalf. The term "Lemko personnel" shall refer to Defendant Lemko's present and former officers, directors, employees, consultants, attorneys, and agents, and all other persons acting or purporting to act on its behalf.
4. The term "person" means person and persons or people, and includes any natural person and/or corporations, companies, associations, partnerships, firms, governmental bodies, hospital, charitable institutions, or any other organization or entity.
5. The term "document" means, but is not limited to, the original and any non-identical copy of any written, printed, or graphic material, photographic matter, sound reproduction, or computer input, output or extract (whether image, data, or code), including any correspondence, teletype message, memorandum of oral statements, conversations, and/or events,

letters, emails, facsimiles, telegrams, personnel files, notes, reports, compilations, studies, tabulations, tallies, maps, diagrams, sketches, graphs, plans, pictures, records, securities, certificates, certificates of deposit, agreements, contracts, and/or licenses, however produced, reproduced or recorded, whether physically, mechanically, or electronically, which: (1) is now or was formerly in your possession, custody, or control, or (2) is known or believed to be responsive to any of the following requests, regardless of who now has or formerly had custody, possession, or control.

6. The term "electronic media" means, but is not limited to video, CD-ROM, DVD, floppy diskette, tape, zip disk, thumb drive, video or audio recordings, or any other types of media, whether in analog or digital format.

7. The term "communication" means the transmittal of information, including, but not limited to, documents, writings, recordings, correspondence, computer files and printouts, and electronic mail.

8. If any document would be responsive to any request, and the document was at one time in existence, but has been lost, discarded, or destroyed, identify such document as completely as possible, providing as much of the following information as possible:

- a. the type of document;
- b. its date;
- c. the date or approximate date the document was lost, discarded, or destroyed;
- d. the reason or reasons for its loss or destruction;
- e. the circumstances and manner in which it was lost, discarded, or destroyed;
- f. the identity of any and all person(s) who either authorized the disposal or destruction of the document, or having knowledge of the circumstances surrounding the disposal or destruction of the document;

- g. the identity of any and all person(s) who lost, discarded, or destroyed the document; and
- h. the identity of any and all person(s) having knowledge of the contents of the document.

9. "Related" "relates" or "relating" shall each mean and include contain or containing, constitute or constituting, comprise or comprising, refer or referring, represent or representing, describe or describing, discuss or discussing, and record or recording, explain or explaining, portray or portraying, and depict or depicting.

10. "Date" means the exact day, month, and year if ascertainable, or if not ascertainable, the best approximation of the date. An approximation may include explaining the date in terms of relationship to other events.

11. Unless the text clearly requires otherwise, you should interpret:

- a. the singular form of a word to include the plural, and vice versa;
- b. the conjunctive "and" to include the disjunctive "or," and vice versa;
- c. the word "any" to include the word "all," and vice versa; and
- d. the past tense of a word to include the present tense, and vice versa.

12. If you assert that a request is objectionable, please specify according to Federal Rule of Civil Procedure 34(b)(2)(C) which part is objectionable and the reasons. If you assert that part of a request is objectionable, please permit inspection to the rest.

13. In the event that you wish to assert either attorney-client privilege, work-product, and/or any other privilege or protection as to any document for which identification and production has been requested by and of the following document requests, then as to each document subject to such assertion, Motorola requests that you provide such identification to include:

- a. the nature of the document;

- b. the sender, author, and recipient of any and all copies;
- c. the date of the document;
- d. the name of each person to whom the original or any copy was circulated;
- e. the names appearing on any circulation list associated with such document;
- f. a summary statement of the subject matter(s) of such document in sufficient detail to enable the Court to conduct an analysis to reach a determination of any claim of privilege or work-product; and
- g. a separate indication of the basis of privilege or work product for each such document.

REQUESTS FOR PRODUCTION

47. Any and all documents submitted to, or communications between, you and the U.S. Patent and Trademark Office, from 2001 to the present.

48. Any and all documents constituting, referring, or relating to the record of any invention made by you from 2001 to the present, including but not limited to the claims within the patents and patent applications in the below table:

Patent	Title	Inventor(s)	Filing Date	No. of Claims
7,486,967 B2	System, method, and device for providing communications using a distributed mobile architecture	Shaowei Pan, Nicholas Labun	04/13/05	24
7,539,158 B2	System, method and device for providing communications using a distributed mobile architecture	Shaowei Pan	11/08/04	15
7,548,763 B2	System, method, and device for providing communications using a distributed mobile architecture	Shaowei Pan	04/13/05	18
7,653,414 B2	System, method, and device for providing communications using a distributed mobile architecture	Shaowei Pan	02/24/06	21
7,840,230 B2	Communications using a distributed mobile architecture	Shaowei Pan	05/22/09	18
7,855,988 B2	System, method, and device for routing calls using a distributed mobile architecture	Shaowei Pan	07/14/08	45
7,856,233 B2	System, method, and device for providing communications using a distributed mobile architecture	Shaowei Pan	03/30/06	17
7,979,066 B2	Multiple IMSI connections	Shaowei Pan	09/25/08	21

Application	Title	Inventor(s)	Filing Date	No. of Claims
11/451,238	Roaming mobile subscriber registration in a distributed mobile architecture	Shaowei Pan	06/12/06	27
11/858,762	System, method, and device for providing communications using a distributed mobile architecture	Shaowei Pan, Nicholas Labun	09/20/07	24
11/955,017	System, method, and device to control wireless communications	Shaowei Pan, Nicholas Labun	12/12/07	25
12/108,209	System and method to control wireless communications	Shaowei Pan	04/23/08	25
12/146,618	System and method to control wireless communications	Shaowei Pan	06/26/08	25
12/163,601	Fault Tolerant Distributed Mobile Architecture	Shaowei Pan	06/27/08	34
12/171,840	OAMP for distributed mobile architecture	Shaowei Pan	07/11/08	30
12/425,147	Providing communication using a distributed mobile architecture	Shaowei Pan	04/16/09	20
PCT/US2009/045951	System and method to control wireless communications	Shaowei Pan	06/02/09	25
PCT/US2009/045957	Fault tolerant distributed mobile architecture	Shaowei Pan	06/02/09	34

49. Any and all documents and communications referring or relating to the patents and patent applications in the below table:

Patent	Title	Inventor(s)	Filing Date	No. of Claims
7,486,967 B2	System, method, and device for providing communications using a distributed mobile architecture	Shaowei Pan, Nicholas Labun	04/13/05	24
7,539,158 B2	System, method and device for providing communications using a distributed mobile architecture	Shaowei Pan	11/08/04	15
7,548,763 B2	System, method, and device for providing communications using a distributed mobile architecture	Shaowei Pan	04/13/05	18

7,653,414 B2	System, method, and device for providing communications using a distributed mobile architecture	Shaowei Pan	02/24/06	21
7,840,230 B2	Communications using a distributed mobile architecture	Shaowei Pan	05/22/09	18
7,855,988 B2	System, method, and device for routing calls using a distributed mobile architecture	Shaowei Pan	07/14/08	45
7,856,233 B2	System, method, and device for providing communications using a distributed mobile architecture	Shaowei Pan	03/30/06	17
7,979,066 B2	Multiple IMSI connections	Shaowei Pan	09/25/08	21
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11/955,017	System, method, and device to control wireless communications	Shaowei Pan, Nicholas Labun	12/12/07	25
12/108,209	System and method to control wireless communications	Shaowei Pan	04/23/08	25
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12/171,840	OAMP for distributed mobile architecture	Shaowei Pan	07/11/08	30
12/425,147	Providing communication using a distributed mobile architecture	Shaowei Pan	04/16/09	20
PCT/US2009/0459 51	System and method to control wireless communications	Shaowei Pan	06/02/09	25
PCT/US2009/0459 57	Fault tolerant distributed mobile architecture	Shaowei Pan	06/02/09	34

50. Any and all documents and communications referring or relating to the "patents" and/or "patent submissions" referred to within Document 17011.

51. Any and all documents and communications referring or relating to the "patents" and/or "patent submissions" referred to within Document 25424.

52. Any and all documents and communications referring or relating to the "patents" and/or "patent submissions" referred to within Document 11535.

53. Any and all documents and communications referring or relating to the "twelve patents" and/or "patent submissions" referred to within Document 10983.

54. Any and all documents and communications referring or relating to the "12 key patent applications which are in the filing process" referred to at LEM 112756.

55. Any and all documents and communications constituting, referring, or relating to any agreements between you and Lemko Corporation, including but not limited to employment agreements, shareholder agreements, invention assignment agreements, and/or investor agreements.

56. Any and all documents and communications referring to, relating to, supporting or refuting your contention in paragraph 4 of the Joint Declaration of Nicholas Labun and Shaowei Pan of August 15, 2011 that you "conceived the inventions defined in the 8 patents and 10 patent applications listed above [in paragraph 2 of the Joint Declaration] after we left Motorola."

57. Any and all documents and communications referring to, relating to, supporting or refuting your contention in paragraph 4 of the Joint Declaration of Nicholas Labun and Shaowei Pan of August 15, 2011 that you "used Lemko's facilities to invent the above-identified inventions [in paragraph 2 of the Joint Declaration] while [you] were employed by Lemko."

58. Any and all documents and communications constituting, referring, or relating to the "[r]ecords in our patent application files [that] prove corroboration" as contended in paragraph 5 of the Joint Declaration of Nicholas Labun and Shaowei Pan of August 15, 2011.

59. Any and all documents and communications referring to, relating to, supporting or refuting your contention in paragraph 7 of the Joint Declaration of Nicholas Labun and Shaowei Pan of August 15, 2011 that “[w]e believe Motorola knew of the technology we were developing at Lemko...”

60. Documents sufficient to identify the “more than 80 investors” Lemko has had since January 2005 and the “nearly 50 more” since 2007, as contended in paragraph 9 of the Joint Declaration of Nicholas Labun and Shaowei Pan of August 15, 2011.

61. Any and all communications between you and any of the individuals listed in the chart below (taken from paragraph 42 of Defendants Lemko Corporation’s, Shaowei Pan’s, and Nicholas Labun’s Statement of Undisputed Facts in Support of Their Motion for Summary Judgment on Motorola’s Declaratory Judgment Claim for Patent Ownership), from 2001 to the present.

Motorola Officer or Employee	Title
Ed Zander	Chairman, CEO
Richard N. Nottenburg	Executive VP and Chief Strategy Officer
Simon Leung	President Asia Pacific - Motorola
Pat Canavan	Senior VP, Global Governance
Raghu Rau	Senior VP, Strategy and Business Development
Warren Holtsberg	Corporate VP, Motorola Ventures
Mohammad Akhtar	VP GSM/UMTS Infrastructure
Mel Gaceta	Investment Manager Motorola Ventures
Paul Steinberg	Chief Technology Officer - Motorola Solutions
Jim O’Connor	Corporate VP, Technology Acceleration
Dan Tell	Fellow of Technical Staff
Joe Goldberg	Senior Director, Corporate Intelligence Strategy Office
David Findling	Senior Director Systems Research
Tony Kobrinetz	VP - WiMAX group
Tony Palcheck	Managing Director - Motorola Ventures
John Kelly	Director Engineering
Reese Schroeder	Director, Corporate Development

62. Any and all documents and communications constituting, or referring or relating to, any of the “numerous business ventures and proposals” between Motorola and Lemko as

contended in paragraph 40 of Defendants Lemko Corporation's, Shaowei Pan's, and Nicholas Labun's Statement of Undisputed Facts in Support of Their Motion for Summary Judgment on Motorola's Declaratory Judgment Claim for Patent Ownership.

63. Any and all communications between you and any of the individuals listed in the chart below (taken from paragraph 43 of Defendants Lemko Corporation's, Shaowei Pan's, and Nicholas Labun's Statement of Undisputed Facts in Support of Their Motion for Summary Judgment on Motorola's Declaratory Judgment Claim for Patent Ownership), from 2001 to the present.

Motorola Officer or Employee	Involvement
Sandep Gupta	Attended 9/16/05 meeting with Lemko
John Kelly	Attended 9/16/05 meeting with Lemko
Dan Tell	Attended 9/16/05 meeting with Lemko
Manish Watwani Mohammad	Not disclosed
Akhtar	
Conroy Brown	Talks with Lemko in 2005/2006
Dan Coombes	Copied on inquiry about Lemko in 2007
Troy Dixler	Copied on inquiry about Lemko in 2007
Paul Flynn	Talks with Lemko in 2005/2006
Dennis Gilliland	Copied on inquiry about Lemko in 2007
Brenda Herold	Talks with Lemko in 2005/2006
Tim Jeanes	Talks with Lemko in 2005/2006
Rick Keith	Copied on inquiry about Lemko in 2007
Anthony Kobrinetz	Copied on inquiry about Lemko in 2007
Adolfo Masini	Copied on inquiry about Lemko in 2007
Tony Palcheck	July 2008 communications with Lemko
Bill Reinsch	Sent inquiry about Lemko in late 2007
Ray Sokola	Copied on inquiry about Lemko in 2007
Paul Steinberg	Received presentation from Lemko in July 2008; copied on communications in 2005
Bruce Stone	Copied on inquiry about Lemko in 2007
Subodh Vardhan	2005 communications with Lemko
Dave Wangrow	Talks with Lemko in 2005
Reese Schroeder	Talks with Lemko

64. Any and all documents constituting, or referring or relating to, any disclosure by you or others of the "Lemko technology embodied in the disputed patents and patent applications," as referenced in paragraph 44 of Defendants Lemko Corporation's, Shaowei Pan's,

and Nicholas Labun's Statement of Undisputed Facts in Support of Their Motion for Summary Judgment on Motorola's Declaratory Judgment Claim for Patent Ownership, to any Motorola officer or key employee.

65. Any and all documents referred to or reviewed in preparing responses to the interrogatories served on you in this case.

DATED: September 7, 2011

Respectfully Submitted,

By: J. Ethan McComb

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CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing was served via hand delivery, this 7th day of September, 2011, upon:

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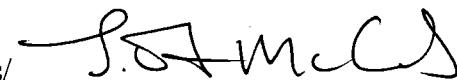
and via email, this 7th day of September, 2011, upon:

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/s/
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